

TO-DAY---MISS CARSON

of the Pictorial Review Pattern Company.

Miss Carson is now with us, and will be the balance of this week, to demonstrate to the ladies of Richmond the many points of superiority of the PICTORIAL REVIEW PATTERNS! All are invited.

The Pictorial Review Fashion Quarterly

"The New Winter Quarterly"

just received--also the new December Patterns--will go on sale to-day (Thursday), October 26th, at the pattern counter. Main Floor, Sixth Street.

Miller & Rhoads

TELEPHONE POLE

Thief Climbed It So He Could Break Into Store of Jacobs & Levy.

By climbing a telephone pole in the rear of the building, a thief Tuesday night gained entrance into the clothing store of Jacobs & Levy, 705 East Broad Street, and robbed the cash register of between \$20 and \$25 and stole a quantity of clothing. How much clothing was stolen no member of the firm knows, for it was stated last night that an inventory had not been taken. It was known, however, from a cursory examination, that a quantity of boys' suits and several overcoats had been removed from the second floor of the store.

The thief climbed the pole to the second story and then smashed the overhead light with a brick. Iron bars protect the window to the overhead light, and it was impossible to gain entrance any other way. Examination yesterday morning showed that the thief had lighted a match so that he could see where to drop, and then landed on a table counter. From there he went to the main floor, where he entered the cashier's office. As is the custom, the cash register was left open, so that if a thief should break in it would not be necessary to break it open. Here the thief opened several envelopes and took all the cash from the drawers. The robbery was discovered yesterday morning, and police headquarters were immediately notified. Detectives were at once assigned to the case, but no definite clue was found yesterday.

The brick with which the window was broken was found on the landing next to the first floor, broken in half, with glass scattered all about it. In the window broken glass projected in every direction, and the wonder seems to be how the thief got into the window without cutting himself.

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CITIZENS SEEK RELIEF IN COURT

Westhampton Association Files Complaint in Court Against Street Car Service.

Failure on the part of the Virginia Railway and Power Company to furnish residents along its Westhampton line with car service meeting their approval has caused the Westhampton Citizens' Association to file a petition for relief in the Circuit Court of Henrico county. The petition charges that despite the fact that the records of the railway company show an increase of \$4,624 in the number of passengers carried on its Westhampton branch from January to August, 1910, as compared with the corresponding period the year previous, the service has deteriorated from a ten-minute to a thirty-minute schedule, creating during the rush hours extremely uncomfortable and even dangerous conditions of travel.

Secretary William Todd, of the Westhampton Citizens' Association, makes the statement that 100 new houses have been built along the line in the past two years, and that counting members of the Country Club of Virginia, there are close to 3,000 residents in the vicinity of Westhampton. The petition sets forth that the present schedule is grossly inadequate, unjust and unfair; that the company has derived large benefits from the sale of property made valuable by increase in traffic; that the time consumed in making the trip over the line has increased from five to ten minutes, and that the consumption of electric light and power is constantly increasing, thus helping to put the line on a precarious basis. A reply to the petition is expected within the next few days.

G. M. CO.'S
"PEARL"
ROOFING
TIN
GORDON METAL CO.
Richmond, Va.

SCREAMS FORCED BURGLAR TO QUIT

But He Walked Quietly Away Before He Could Steal Anything of Value.

Awakened suddenly by his wife at 5 o'clock yesterday morning, Walter West, of 1418 West Leigh Street, discovered a man in his room, and leaped from his bed in pursuit. But the negro, as it proved to be, from the description given, took his time in leaving, and slowly went downstairs and departed through the window by which he had gained entrance. Mr. West was unarmed, and stated that he had not a pistol within reach when he was awakened by the screams of his wife. Mrs. West was aroused from her slumber by the sound of some one stirring in the room. In the half light coming through the window she discerned a figure moving about. In her terror she screamed, and her screams aroused her husband. He jumped out of bed and rushed towards the man. The latter slipped easily from the room and made his way downstairs. Mr. West saw enough of him, however, to say that he was a big, burly negro. The burglar had left nothing unsearched. But he found nothing, it seems, to warrant his pains and the danger he underwent.

Later, after lighting up the house and making a thorough examination, Mr. West found that the first floor of the house had been ransacked with little thoroughness. The burglar had left nothing unsearched. But he found nothing, it seems, to warrant his pains and the danger he underwent.

Entrance, it was found afterwards, had been gained through a window in the rear--a window through which only a very small man could climb without the aid of a ladder or some other contrivance.

Qualifications in Chancery.

Kate L. Martin qualified yesterday in the Chancery Court as administratrix of the estate of Peter C. Martin. This estate is valued at \$2,500.

The will of Samuel C. Oliver was admitted to probate. The estate is valued at \$1,000.

When he entered the home of T. E. O'Keefe, 3039 Monument Avenue, yesterday afternoon, Mr. Steinbrecht, who had been requested to be temporary custodian of the place, found that it had been entered and robbed, and that a pile of silverware and other loot had been placed on the outside, ready, apparently, to be carried off.

Without delay, Mr. Steinbrecht notified the police, and Bicycle Policemen Palmer and Andrews were sent to the scene. Officer Palmer decided to remain in the hope that the burglar would return to carry off the plunder. But it seems before his arrival, Mrs. Steinbrecht, in perfect innocence, and with a desire to save her friends from being robbed, had carefully picked up all the stolen property and placed it back in the house.

Palmer was not aware of this movement, and, hidden in a dark recess, he kept watch for the return of the thief. In the early part of the night he saw a negro approach and search eagerly about the house. The negro saw that his plunder had been removed, and, immediately smelling a rat, he took to his heels. Palmer followed, but chance was against the officer. He followed the negro for four or five squares, but in the darkness the latter escaped.

Had the loot been left where it was first deposited, it is probable that the negro would have been caught. Mr. O'Keefe and family are out of town, and Mr. Steinbrecht had been sleeping in the house and watching over it for him. It was entered and robbed some time during his absence yesterday afternoon.

Building Permits.

Building and repair permits were issued yesterday as follows:

J. A. Ryan, to erect a two-story detached brick dwelling at 1906 Grove Avenue.

Swelling, to repair a frame dwelling at West Twelfth Street, Washington Ward, to cost \$150.

Railroad and Steamship Tickets to All Points.

Baggage called for and checked to destination of tickets.

Taxicab service.

RICHMOND TRANSFER CO., 200 East Main Street.

JURY WAIVES TO REACH VERDICT

Will Take Up Case of Green Against Attorneys for Another Sitting To-Day.

CASE HAS UNIQUE POINTS

Plaintiff Claims He Lost Damage Suit Through Negligence of His Counsel.

After being out for more than an hour last night, the jury in the damage suit of C. H. Green against O'Flaherty & Fulton and Edgar B. English, reported that it had been unable to agree. Judge Ingram adjourned court until this morning at 11 o'clock, when the jury will make another effort to reach a decision.

The case presents unique points in Virginia practice, and the argument on the instructions alone occupied the greater part of two days.

Green claims to have been injured in a street car accident several years ago. He retained O'Flaherty & Fulton and Edgar B. English to bring a damage suit against the street car company. The suit was brought in the Law and Equity Court in the style of C. H. Green against William Northrop and Henry T. Wickham, receivers of the Virginia Passenger and Power Company. The attorneys failed for some reason to file the declaration within the time prescribed by law. After suit was instituted, but Judge Ingram held that this was a matter within the discretion of the court, and allowed it to be filed, and the case to be tried. The jury awarded Green a verdict for damage in the sum of \$5,000.

Green Loses on Appeal.

The car company appealed and the Court of Appeals set aside the verdict and threw the case out of court on the ground that the declaration had not been filed within the time fixed by law, and that the fixing of the time was a matter of statute, and not one over which the trial judge had any discretion.

Meanwhile a year had elapsed, and the time limit for bringing such a claim had expired, and Green was held to be without recourse against the street car company. He asserts in the present suit that this is due to the negligence of his attorneys in failing to file the proper papers in time.

On the other hand, O'Flaherty & Fulton and Mr. English for damages in the sum of \$6,000, the original verdict which he claims to have lost through their negligence, and the costs of both suits. Mr. Green has been represented by Smith, Moncreaf & Gordon and by C. V. Meredith and Richard Evelyn Byrd. The case was submitted to the jury shortly before 6 o'clock last night, and after being out for an hour, the jury reported that they had been unable to agree.

Outline of Defense.

In the trial of the case the defendant's attorneys set up the claim that they had been prevented from filing the declaration within the time specified by law, since their client failed to furnish them with the information necessary, that the negligence was his, not theirs, and that it had been the practice hitherto to allow such papers to be filed, after the limit had expired, and they had no means of knowing that the Court of Appeals would bring this instance down the road more closely than they have hitherto been allowed.

The court instructed the jury in effect that if it believed from the evidence that the plaintiff had lost his original suit because of the negligence of his attorneys, they must find for the plaintiff.

That the declaration should have been filed within a specified time is set forth in one of the instructions as follows:

The court instructs the jury that it was necessary to file the declaration in the suit of Green against the receivers of the Virginia Passenger and Power Company and others within one month after the return of the process executed, to-wit, by June 16, 1908, and the Supreme Court of Appeals of Virginia has affirmed the judgment because the declaration was not filed within that time.

Jury Fails to Agree.

As to the contention of the defense that the failure to file the paper was due to the negligence of Mr. Green himself, rather than of his attorneys, the court instructed the jury:

"The jury are further instructed that if they believe from the evidence that the failure of the defendants to file the declaration on or before the 16th day of June, 1908, was caused by the plaintiff promising the defendants to furnish a person who would give the information necessary upon which to base the proper allegations to be set forth in the declaration, and by the failure of the plaintiff to furnish such person on or before the 16th day of June, 1908, they then must find for the defendants."

IN BAD SHAPE

Sea Captain Unconscious When They Broke Into His Room.

Captain John Sigmund, of Norfolk, a sea captain, was found unconscious in a rooming house at Eighteenth and Franklin Streets yesterday morning. He had obtained board and lodging the night before, and when he awoke this morning he found himself in a rooming house. He was found by a landlady who went to his room. He was found in his bed, apparently dead.

The city ambulance was called and Dr. Grawley responded. He attributed the captain's condition to paralysis, and took him to the R. R. Hospital for the Sick. There it was said last night that he would recover.

Reports Robbery.

H. D. Puryear, of 3601 South Avenue, reported to the police yesterday that "his place had been broken into and that a quantity of clothes and a jacket and chain, valued at \$225, had been stolen. All the property is valued at \$85.25."

WILLIAMS PRESIDENT

Richmond Man Elected by New Chemical Corporation.

John Skelton Williams, of Richmond, was elected president of the newly organized Interstate Chemical Corporation at a meeting of the directors held yesterday in New York. Other officers elected were: Treasurer, Charles S. Bryan, of New York; Secretary, J. D. Muller, of Charleston, S. C.; General Manager, W. C. Williams, Jr., of Charleston, S. C.; W. B. Williams, Jr., of Charleston, S. C., was elected president of the corporation at a previous meeting.

OFFICERS CHOSEN BY GRAND CHAPTER

James H. Price Given Lowest Rung on Ladder Leading to Chief Place.

COMMANDERY MEETS TO-DAY

E. D. Hotchkiss Will Be Grand Commander--High Priests in Session.

Upon James H. Price, a Staunton Mason, who is more recently of Richmond, falls the honor of being placed in line of promotion to become eventually the grand high priest of the Grand Royal Arch Chapter of Virginia. At the annual election held last night, Captain Price, who is an attorney and is well known in military circles, was made grand master of the first valley. It will take him eight years to reach the highest place, barring deaths of those ahead of him.

The election of officers concluded the one hundred and fourth annual session, which ended at 11 o'clock last night. The following are the officers of the grand chapter for the ensuing year:

Major Stanley W. Martin, of Lynchburg, grand high priest; Major Sol. Cutchins, of Richmond, grand king; J. W. C. Bryant, Jr., of Clifton Forge, grand scribe; George W. Poe, of Richmond, grand treasurer; James B. Blanks, of Petersburg, grand secretary; Isaac H. Adams, Jr., of Lynchburg, grand captain of the host; James W. S. Butt, of Portsmouth, grand principal scribe; John R. Charleston, of Richmond, grand royal arch captain; J. E. W. Timberman, of Alexandria, grand master of the third valley; James Bowman, of Roanoke, grand master of the second valley; James H. Price, of Staunton, grand master of the first valley; J. J. English, Jr., of Richmond, deputy grand treasurer; Charles A. Nesbitt, of Richmond, deputy grand secretary; Rev. Frank T. McFadden, D. D., of Richmond, grand chaplain; Oscar J. Adams, of Richmond, grand marshal; James A. Pamplin, of Richmond, grand lecturer; James P. Alexander, of Alexandria, assistant grand lecturer.

Grand Committees.

On Work--William J. Hubbard, Richmond; James E. Alexander, Alexandria; James H. Price, Staunton; James Bowman, Roanoke; William Chapman, Portsmouth; John T. Cochran, The Plains.

On Fraternal Correspondence--Chas. A. Nesbitt, A. R. Courtney, N. W. Hubbard.

On Finance--Joseph V. Bidgood, L. T. Christian, and H. P. W. Southern.

A great deal of miscellaneous business was transacted by the grand chapter, chief among which was the adoption of the report of the committee on revision of the digest. There are no changes in the volume, but it has been brought down to date so as to include the laws passed by the grand body since the publication of the last digest in 1899. The committee's work was approved.

By unanimous vote the grand chapter endorsed the proposition to erect a memorial to George Washington, as a Mason, in the city of Washington.

Knights Templar Meet To-Day.

The eighty-ninth stated convocation of the Grand Commandery of Knights Templar of Virginia will begin this morning at 10 o'clock in the Masonic temple, 1000 North Main Street. The body since the publication of the last digest in 1899. The committee's work was approved.

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